

(j) Funding

(1) In general

Notwithstanding any other provision of law, of the funds of the Commodity Credit Corporation, the Secretary shall make available to carry out this section—

(A) \$20,000,000 for each of fiscal years 2002 through 2005, to remain available until expended; and

(B) \$10,000,000 for each of fiscal years 2006 and 2007, to remain available until expended.

(2) Television funds

(A) In general

The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section, without further appropriation any funds made available under section 1109(a)(2)(B) of title 47.

(B) Use of television funds

The Secretary shall use any funds received under subparagraph (A) in equal amounts for each remaining fiscal year on receipt of the funds (including the fiscal year of receipt) through fiscal year 2007.

(3) Authorization of appropriations

In addition to funds otherwise made available under this subsection, there are authorized to be appropriated such sums as necessary to carry out this section for each of fiscal years 2003 through 2007.

(4) Allocation of funds

(A) In general

From amounts made available for each fiscal year under this subsection, the Secretary shall—

(i) establish a national reserve for loans and loan guarantees to eligible entities in States under this section; and

(ii) allocate amounts in the reserve to each State for each fiscal year for loans and loan guarantees to eligible entities in the State.

(B) Amount

The amount of an allocation made to a State for a fiscal year under subparagraph (A) shall bear the same ratio to the amount of allocations made for all States for the fiscal year as the number of communities with a population of 2,500 inhabitants or less in the State bears to the number of communities with a population of 2,500 inhabitants or less in all States, as determined on the basis of the latest available census.

(C) Unobligated amounts

Any amounts in the reserve established for a State for a fiscal year under subparagraph (B) that are not obligated by April 1 of the fiscal year shall be available to the Secretary to make loans and loan guarantees under this section to eligible entities in any State, as determined by the Secretary.

(k) Termination of authority

No loan or loan guarantee may be made under this section after September 30, 2007.

(May 20, 1936, ch. 432, title VI, § 601, as added Pub. L. 107–171, title VI, § 6103(a), May 13, 2002,

116 Stat. 415; amended Pub. L. 108–199, div. A, title VII, § 772, Jan. 23, 2004, 118 Stat. 40.)

AMENDMENTS

2004—Subsec. (b)(2). Pub. L. 108–199 amended heading and text of subsec. (b)(2) generally. Prior to amendment, text read as follows: “The term ‘eligible rural community’ means any incorporated or unincorporated place that—

“(A) has not more than 20,000 inhabitants, based on the most recent available population statistics of the Bureau of the Census; and

“(B) is not located in an area designated as a standard metropolitan statistical area.”

REGULATIONS

Pub. L. 107–171, title VI, § 6103(b), May 13, 2002, 116 Stat. 418, provided that:

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act [May 13, 2002], the Secretary of Agriculture shall promulgate such regulations as are necessary to implement the amendment made by subsection (a) [enacting this section].

“(2) PROCEDURE.—The promulgation of the regulations shall be made without regard to—

“(A) the notice and comment provisions of section 553 of title 5, United States Code;

“(B) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

“(C) chapter 35 of title 44, United States Code (commonly known as the ‘Paperwork Reduction Act’).

“(3) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this subsection, the Secretary shall use the authority provided under section 808 of title 5, United States Code.”

CHAPTER 31A—TELEMEDICINE AND DISTANCE LEARNING SERVICES IN RURAL AREAS

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| Sec. | Purpose. |
| 950aaa. | Definitions. |
| 950aaa-1. | Telemedicine and distance learning services in rural areas. |
| 950aaa-2. | (a) Services to rural areas. |
| | (b) Financial assistance. |
| | (c) Recipients. |
| | (d) Priority. |
| | (e) Maximum amount of assistance to individual recipients. |
| | (f) Use of funds. |
| | (g) Salaries and expenses. |
| | (h) Expediting coordinated telephone loans. |
| | (i) Notification of local exchange carrier. |
| 950aaa-3. | Administration. |
| | (a) Nonduplication. |
| | (b) Loan maturity. |
| | (c) Loan security and feasibility. |
| | (d) Encouraging consortia. |
| | (e) Coordination with other agencies. |
| | (f) Informational efforts. |
| 950aaa-4. | Regulations. |
| 950aaa-5. | Authorization of appropriations. |

TERMINATION OF CHAPTER

For termination of chapter by section 1(b) of Pub. L. 102–551, see note set out under section 950aaa of this title.

§ 950aaa. Purpose

The purpose of this chapter is to encourage and improve telemedicine services and distance